

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO.: 1:16-CV-01044-CCE-LPA**

DAVID CLARK, *et al.*,

Plaintiffs,

v.

DUKE UNIVERSITY, *et al.*,

Defendants.

**DEFENDANTS' MOTION TO STRIKE
REBUTTAL REPORTS OF
PLAINTIFFS' EXPERTS WENDY
DOMINGUEZ AND TY MINNICH AND
EXCLUDE THEIR TESTIMONY AT
TRIAL**

Defendants (collectively, "Duke"), through its undersigned counsel, respectfully requests that the Court grant their Motion to Strike Rebuttal Reports of Plaintiffs' Experts Wendy Dominguez and Ty Minnich and Exclude Their Testimony at Trial. In support of their Motion, Defendants offer the accompanying Memorandum of Law in support of Defendants' Motion to Strike and the Declaration of Christopher Weals.

WHEREFORE, for the reasons set forth in the accompanying Memorandum, Duke respectfully requests that the Court strike the Rebuttal Expert Reports of Ty Minnich and Wendy Dominguez, prohibit them from testifying at trial, and grant such other relief as the Court deems necessary. Alternatively, Duke requests thirty days to submit reports responding to the opinions offered by Minnich and Dominguez, and such other relief as the Court deems appropriate in this matter.

Dated: October 8, 2018

/s/ Jeremy P. Blumenfeld

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CERTIFICATE OF SERVICE

I hereby certify that on October 8, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing and effectuate service to all counsel of record in this matter, including:

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